

Adopted Resolution No. 2009-13 awarding the contract for the Blakely Park North Pool Deck Improvements, 1050 South Stockton Street, to Greg Carpenter Concrete, Inc., of Lodi, in the amount of \$44,917.50.

E-6 Report on Contract Change Order No. 2 for Lodi Lake Boathouse/Discovery Center Improvements, 1101 West Turner Road (PR)

Received report on Contract Change Order No. 2 for Lodi Lake Boathouse/Discovery Center Improvements, 1101 West Turner Road.

E-7 Adopt Resolution Appointing New Reoresentatives to the Lodi Tourism Business Improvement District Advisorv Board (CLK)

Adopted Resolution No. 2009-14 appointing new representatives to the Lodi Tourism Business Improvement District Advisory Board.

E-8 Set Public Hearina for February 18, 2009, to Review and Approve Both the Joint-Application for Neiahborhood Stabilization Proaram Fundina through the California Department of Housina and Community Development and the Memorandum of Understandina for all Participatina Jurisdications (CD)

This item was pulled from the Consent Calendar by the City Manager for an indefinite period of time due to notification from the Department of Housing and Community Development regarding the lack of funding for San Joaquin County for one of two available funding sources.


E-9 Receive and Accept Quarterly Report of Purchases Between \$5,000 and \$20,000 (FIN)

Received and accepted the quarterly report of purchases between \$5,000 and \$20,000.

F. Comments by the Public on Non-Agenda Items THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES. The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brouaht up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the aaenda's beina posted. Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council aaenda.

Robin Rushing requested the City Council ask the Justice Department to revisit the Hamid terrorism case and related activity in Lodi in light of the new President's outlook on the Patriot Act. Mr. Rushing also spoke in regard to his ability to have transportation to and from City Council meetings through the Dial-A-Ride program.

Jessica Hardy, representing TigerLines, spoke in favor of Measure W based on the possible benefit to the Cherokee/Kettleman Lane area businesses and homes in the project area. Ms. Hardy stated that, while she had some initial questions, those questions were answered in the City Attorney's impartial analysis.

 Art Hand, representing the Lodi Unified School District, spoke in favor of Measure W based on possible benefits for the school district, including the option of adding an additional school in the project area. Mr. Hand also presented an official resolution of support from the Lodi Unified School District. In response to Council Member Mounce, Mr. Hand stated the district

is reviewing options for the location of a new school on the east side of town and one option may be Cherokee and Kettleman Lane. Mr. Hand stated the school district does have the ability to use eminent domain and treats it with velvet gloves.

Phyllis Roche spoke in opposition to Measure W based on her concerns regarding where the property tax dollars go in the County and State, bond indebtedness, and the possible negative effect on the school district.

Jane Wagner-Tyack spoke in regard to preserving and maintaining the Delta and provided an organizational overview of the "Restore the Delta" group. Ms. Wagner-Tyack invited the City Council to attend a symposium regarding the Delta on February 28, 2009, at Wine and Roses where numerous experts will discuss the current issues surrounding the Delta and preservation.

Barbara Flockhart spoke in opposition to the cost of electric rates based on her concerns regarding comparisons with other agencies and the overall bond indebtedness of the Electric Utility.

G. Comments by the City Council Members on Non-Agenda Items

Council Member Mounce reported on her attendance at the League of California Mayors and Council Members Conference, stating conference materials are available for review. In response to Council Member Mounce, City Attorney Schwabauer stated the Kelo case prevents local government from exercising eminent domain for a private purpose. Mr. Schwabauer stated local government in general still has the ability to exercise eminent domain for a public purpose; although, the City has adopted ordinances prohibiting the use of eminent domain in its entirety in the project area. He stated he is not sure of the time period in which an agency must hold on to property it has obtained through eminent domain for a public use before it may be given to a developer, and he will get back with the relevant information.

Council Member Johnson requested the Deputy City Manager to research and bring back to the City Council information regarding pay points for utility payments. Mr. Johnson also suggested the Lodi Improvement Committee and/or some other advisory committee be utilized to assist the City Council with redevelopment projects when Measure W passes.

Mayor Pro Tempore Katzakian reported on his attendance at the League of California Cities Mayors and Council Members Conference and stated a sub-committee is working on topics of interest for the annual conference.

In response to Council Member Hitchcock, Mr. King stated there will be an item related to mid-year budget review at a Special Meeting to be held on Tuesday, February 10, 2009, at 7:00 a.m., in conjunction with the Shirtsleeve Session. Mr. King stated that, while no action is specifically anticipated, the Special Meeting allows the City Council flexibility to provide direction.

Mayor Hansen reported on his attendance at the Northern California Power Agency conference and San Joaquin Council of Governments (SJCOG) Commission meeting. Mayor Hansen specifically discussed the Lodi Energy Center being fully subscribed, discussions regarding local control, the \$84 million shortfall at SJCOG being reduced to about \$8 million, efforts regarding funding for the Lodi Lake shoring, and funding opportunities through Congressman McNerney and National Mayors Association. He also suggested information regarding pay points be brought to Council for consideration.

In response to Council Member Johnson, Mr. King stated staff is in the process of responding to Congressman McNerney through the federal appropriations process with respect to City projects and opportunities for federal funding.

**BEFORE THE BOARD OF EDUCATION OF THE LODI UNIFIED SCHOOL DISTRICT
OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA**

RESOLUTION 200902

**DECLARING SUPPORT FOR MEASURE W, THE REDEVELOPMENT PLAN FOR THE LODI COMMUNITY
IMPROVEMENT PROJECT**

WHEREAS, in November, 2008, the City of Lodi preliminary adopted the boundaries of the Lodi Community Improvement Plan, which would establish a Redevelopment Area that spans major portions of the City's eastside and industrial/commercial corridors; and

WHEREAS, this project will benefit the City and other local public agencies that depend on property tax revenue for funding support - including the Lodi Unified School District - by raising more than \$210 million over a 40 year period, of which as much as \$58 million could be allocated to the District; and

WHEREAS, the City has placed approval of this project on the ballot as Measure W for a special city-wide election to be held in March 2009; and

WHEREAS, the local Chamber of Commerce, has requested that the District consider providing formal support for Measure W through the resolution process.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Board of Trustees does by this resolution proclaim its support for Measure W, and the Lodi Community Improvement Plan.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the City of Lodi and the Chamber of Commerce for their use; and that District staff is hereby authorized to assist, as appropriate, in the establishment of this Redevelopment Area.

PASSED AND ADOPTED this 13th day of January, 2009, by the following vote of the Board of Education of the Lodi Unified School District:

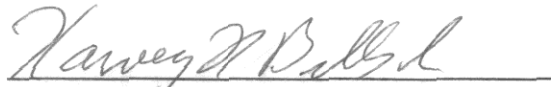
AYES: Cassel, Davis, Johnson, Jones, Thompson, Young

NOES

ABSTAIN Bills

ABSENT:

ATTEST


Clerk of the Board of Education


President of the Board of Education